

FILED

Clerk's Office

USDC, Dist.

Date 5/18/04

By [Signature]
Deputy Clerk

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Kent Garvey, on behalf of himself and all others
similarly situated,

Plaintiff(s),

James Arkoosh, Samuel Belzberg, Peter Klein
and Diomed Holdings, Inc.,

Defendants.

Master File No.

04cv 10438 RGS

Declaration in Support of Motion to
Consolidate Related Actions, Appoint Lead
Plaintiff and for Approval of Lead Plaintiffs'
Selection of Counsel

CLASS ACTION

I, Laurence M. Rosen, hereby declare:

1. I am a member of The Rosen Law Firm P.A., proposed Lead Counsel in this action. I make this declaration in support of Kent Garvey, Albert Overhauser, James T. Marsh, Roger E. Buck, and Thomas Loveless' motion for consolidation of the related actions, motion to be appointed Lead Plaintiffs for the Class, and for approval of Lead Plaintiffs' selection of The Rosen Law Firm P.A. as Lead Counsel and the Law Office of Scott P. Lopez as Liaison Counsel for the Class.

2. Attached hereto as Exhibit A is a true and correct copy of the notice filed by The Rosen Law Firm in the first-filed action as published in Investors Business Daily on March 19, 2004.

3. Attached hereto as Exhibit B are true and correct copies of the certifications executed by Kent Garvey, Albert Overhauser, James T. Marsh, Roger E. Buck, and Thomas

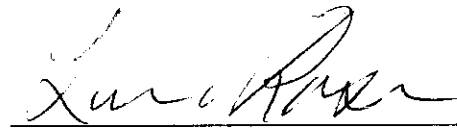
Loveless, which include a schedule of their transactions in Diomed Inc. common stock during the Class Period.

4. Attached hereto as Exhibit C is a copy of the firm resume of The Rosen Law Firm, P.A.

5. Attached hereto as Exhibit D is a copy of the firm resume of the Law Office of Scott P. Lopez

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on May 17, 2004, at New York, New York.



Laurence M. Rosen, Esq.